

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

FILED  
SEP 26 2005

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UNITED STATES OF AMERICA,

CR. 05-M52

*[Signature]*  
CLERK

Plaintiff,

vs.

FINDING OF  
PROBABLE CAUSE

DANIEL MEJIA-BARBA,  
a/k/a Jose Hernandez,  
a/k/a Jose Alejandro Hernandez,  
a/k/a Jose Alejandro Hernandez, Jr.,

Defendant.

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This matter came before the Court for an initial appearance, preliminary examination and detention hearing on Monday, September 26, 2005. The defendant appeared in person and by his counsel, Assistant Federal Public Defender Bill Delaney. The United States appeared by Assistant United States Attorney, John Haak.

Based upon the testimony of Ken Baird, Special Agent with Immigration and Customs Enforcement, the court finds probable cause to believe that the defendant has committed the acts alleged in the Complaint.

Dated at Sioux Falls, South Dakota, this 26<sup>th</sup> day of September, 2005.

BY THE COURT:

*[Signature]*  
John E. Simko  
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, Clerk of Courts

By *[Signature]*, Deputy

(SEAL)